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ABSTRACT

The history of the federal role in education and the nature of the federal role required today and under the "New Federalism" are examined in this publication. The intent of the 25-page discussion paper is to encourage education policy makers to engage in a dialogue that will result in educational decisions that promote the economic and cultural well-being of the country. The paper outlines three points for discussion: the federal role beginning with the Vocational Education Act of 1917; the contemporary need for federal involvement in education to support defense, economic, social, and environmental needs; and whether the New Federalism concept may be an effective process to fulfill governmental education responsibilities. The paper concludes that two themes bind together the direction of federal education policy: the role of education in achieveing national goals, such as defense, civil rights, and eradication of poverty, and the maintenance of quality education and a well-educated citizenry as national objectives in themselves. The paper highlights the significance of these two themes as a basis for charting the course of future education policy. (Author/JM)

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The Federal Role in Education: A Foundation for the Future

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EA 014 825

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FOREWORD

As we look toward the future, major policy decisions need to be made about the federal role in education. Should the role of education in our society be altered? Should public schools continue to be the primary deliverer of the government's responsibility to ensure the education of its citizenry? What aspects of the nation's interest in education are best provided for by the federal government?

Observers of the political process know that policy-makers at the local, state and national levels are taking action on these questions. Given the importance of these inquiries, the National School Boards Association (NSBA) encourages a dialogue which will result in educational decisions that truly promote the national interest in the economic and cultural well-being of our country.

The following paper begins the dialogue with one fundamental all-encompassing policy issue -- the national interest and resultant federal role in education. Specifically, the paper presents the philosophical and practical reasoning which inspired the involvement of the federal government in education over the past two decades. It further explores the applicability of these efforts to contemporary times as well as the future federal role in education.

The paper was written by Michael A. Resnick. Mr. Resnick, an attorney by education and formerly a local school board member, is Assistant Executive Director of NSBA's Legislative Section. Having joined NSBA in 1969, with prior experience in federal education legislation, he presents this "foundation" for the federal role from the standpoint of a seasoned and articulate practitioner.

Thomas A. Shannon
Executive Director

TABLE OF CONTENTS

	Page
INTRODUCTION	1
APPROACH	2
A. THE FEDERAL ROLE: HISTORICAL BASE	2
• Connection to National Priorities	2
• Defense and Economic Connection	3
• Civil Rights and Equal Opportunity Connection	4
• Quality Education Connection	5
• Expansion of a Theme	6
• Intergovernmental Connection	7
• Summary of National Priorities Served by the Federal Role in Education	8
B. THE FEDERAL ROLE: CONTEMPORARY NEEDS	9
• Defense and Education	9
• Education and the Economy	10
• Poverty	12
• Civil Rights	13
• Education and Problems of National Significance	14
• Payment of Federal Obligations	15
• Well-educated Citizenry	16
• Summary of Contemporary Needs for a Federal Role in Public Education	19
C. THE FEDERAL ROLE: EDUCATION AND THE "NEW FEDERALISM"	21
• "Turning Back" Functions versus Abrogating Responsibilities	21
• "New Federalism" and the Administration's Policy	22
• "Turnbacks" and Local Decision-making	23
• The Federal Role in Education After "Turnbacks"	23
• Future Funding for "Turnbacks"	24
CONCLUSION	25

THE FEDERAL ROLE IN EDUCATION: A FOUNDATION FOR THE FUTURE

by Michael A. Resnick

Introduction

In education, as with any tax supported activity, it is important that programs and approaches be reviewed in order to determine whether they are fulfilling contemporary needs. With respect to the *federal* role in public education, there are at least four reasons why 1982 presents a particularly good time to begin such a review:

- *First*, the modern federal role in public education was formed on the basis of facts and social impressions that existed twenty to twenty-five years ago. As we look over the last twenty years and plan for the next twenty, it is legitimate to ask whether the same needs, incentives, and desired outcomes still exist.
- *Second*, from the time that most federal programs have become operative, enough information should exist to evaluate their effectiveness. Hence, it is legitimate to ask whether the federal approach, as well as particular programs, have worked.
- *Third*, there is an increasingly popular impression that neither the public schools nor federal domestic assistance programs are the most effective vehicles for delivering their particular services. Hence, it is legitimate to ask whether any negativism toward the federal role in education is symptomatic of a broader concern over the efficacy of the public schools or the federal government.
- *Fourth*, and perhaps in reaction to the first three, the Administration is proposing fundamental changes for the federal role in education—both public and private. In the face of political decisions which *will* be made about the federal government's priorities in education, and its influence on public and private education, it is legitimate to ask what should be the federal objectives in assuring the educational well-being of the nation.

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Approach

A comprehensive response to each of the above questions is beyond the scope of any one paper. The purpose of this paper is to present a starting off point for opening a dialogue whose time has come. Specifically, the paper sets forth a concept for the federal role in elementary and secondary education.

The discussion includes an historical review of the conditions and rationale which led to the creation of the modern federal role —with a comparison drawn to the contemporary setting. The discussion also explores emerging areas for potential federal involvement. Finally, the discussion will examine the Administration's "*New Federalism*" proposal to determine whether, as a service delivery process, it supports or detracts from necessary federal activities in education.

A. The Federal Role: Historical Base

• *Connection to National Priorities*

The U.S. Constitution is silent as to the role of each level of government in education. By tradition, the primary responsibility for education has resided with the states and local school boards.[1] Generally, the federal government has become involved in education, or at least with school systems, in its effort to fulfill some other national responsibility. However, there have been instances in which the federal government has acted because it took an interest in the educational well-being of the nation as an end in itself.

•• *Pre-Sputnik Period: 1917-1958*

Prior to Russia's 1957 launching of Sputnik, there were three major federal programs in elementary and secondary education. Each of these programs was established as a necessary connection between the public schools and the national interest in some

[1] Yet, before the U.S. Constitution was adopted under the Articles of Confederation, the Northwest Ordinance was adopted. That law set aside a section of land in every township to be used for the support of education. Under the constitution, Congress uniformly requires applicant states to set up a system of free public education as a condition of admission to the Union.

other area. For example, the first of these programs, the Vocational Education Act of 1917, provided assistance to bolster the quality of training in specific occupational areas of federal concern (e.g., nursing, agriculture). Similarly, the School Lunch Act was enacted in 1946 for the purpose of establishing a mechanism for the federal purchase of surplus commodities (i.e., U.S. farm policy), as well as for overcoming the high World War II inductee rejection rate resulting from undernourishment (i.e., U.S. defense policy). Likewise, the Impact Aid program served the national defense by assuring military parents that their children would not have an inadequate education by virtue of the financial inability of the local school systems adjoining their bases to serve them. Concomitantly, the Impact Aid program also recognized that it was in the overall national interest for the federal government to at least partially reimburse local communities for the economic burden created by its undertakings.[2]

•• *Initiation of the Modern Federal Role: 1958-1965*

The modern federal role in education was initiated in response to conditions which existed in the 1950s and early 1960s. For elementary and secondary education, there were three major grants-in-aid programs enacted during this time: a) the National Defense Education Act, 1958; b) the Vocational Education Act, 1963; and c) the Elementary and Secondary Education Act, 1965.[3] In addition to providing funding, a proactive federal civil rights policy was established through the Civil Rights Act of 1964.

Like the pre-Sputnik era, the legislative history of each of these endeavors reveals that members of Congress saw a federal obligation to support educational activities which were integral components of some other national priority.

• *Defense and Economic Connection*

The rationale for the enactment of NDEA was the technological advances for our national defense required the expansion and enhancement of curriculum opportunities in science, mathe-

[2] Typically, the federal business created a double-sided burden on local school systems by a) taking land off the tax roles and b) drawing students into the area who had to be educated at local public expense.

[3] These three programs will be referred to as NDEA, VEA, and ESEA, respectively.

matics, and foreign languages. In essence, by upgrading the quality of programs, as well as by ensuring that all qualified students had an opportunity to develop their potential in these curricular areas, the intellectual underpinning for our future defense needs would be in place. Hence, while NDEA resulted in services to students, the personal benefits to them were incidental to the primary purpose, i.e., national defense.

VEA was enacted to meet future economic needs. Congress was concerned about the economic growth from two related viewpoints: i.e., 1) whether young adults would be prepared for the complexities of the automated workplace—which was deemed essential to increased business productivity and economic prosperity, and 2) whether the trend toward automation would result in increased economic costs resulting from high rates of unemployment among young adults.

Likewise, with respect to ESEA Title I, the future employability of disadvantaged children was considered to be a matter of national priority. More precisely, Congress passed ESEA Title I as a means for breaking the self-perpetuating cycle between educational deprivation and the levels of poverty and unemployment which existed in the 1960s. In justifying federal assistance, Congress recognized that a) the millions of poverty-based children presented an economic/social problem of national magnitude, and b) the high concentrations of such children effectively prevented local school systems, especially on a nationwide scale, from financing special educational services.

While VEA and ESEA Title I provided educational benefits to students, a primary purpose was to serve the educational connection needed to fulfill the national economic priority.

- *Civil Rights and Equal Opportunity Connection*

While much of the Title I debate was stated in future employment and *economic* terms, the legislation was joined to other Great Society programs in a national humanitarian effort to eradicate the conditions and causes of *poverty*. Since minority groups would benefit substantially from Title I services, the legislation also represented a *civil rights priority* to build equal economic and other societal opportunities for minority groups through the funding of special educational activities. Hence, when Title I was enacted in 1965, Congress was responding to a com-

bination of three related national objectives, i.e., the economy, poverty, and civil rights—all of which were necessarily tied to serving the educational needs of disadvantaged students.

The federal role to promote equal educational opportunities among minority groups included an enforcement function, as well as Title I grants. By the early 1960s, it was recognized that the U.S. Supreme Court decision in *Brown v. Board of Education* had not resulted in widespread desegregation and/or equal access to educational opportunities for black students. Indeed, a number of state legislatures and school systems undertook activities which, if not in opposition, were at least in passive resistance to the *Brown* ruling.

With the enactment of the Civil Rights Act of 1964, Congress effectively said that it was a matter of national priority for the federal government to aggressively pursue the enforcement of U.S. Constitutional prohibitions against racial segregation in the public schools. Politically, the passage of the Civil Rights Act was viewed as a pre-condition to the passage of the ESEA grants-in-aid program.

For both the Great Society grant-in-aid programs and the Civil Rights Act of 1964, Congress was dealing with more than a climate of national altruism. It was also experiencing the political pressure of the strongest civil rights movement in U.S. history—with all of the attendant social unrest and raised expectations among large segments of the population. In essence, conditions were such that it was in the national interest to accommodate disadvantaged blacks within the social mainstream through programs and protections, rather than to ignore or confront their desire to break from the underside of a racial socio-economic caste structure.

- *Quality Education Connection*

When ESEA was enacted in 1965, the legislation also included a number of smaller programs to assist state departments of education and local school districts to innovate, build, and enrich their general education programs. Specifically, ESEA Titles II, III, IV, and V provided aid for libraries and instructional materials; supplemental centers and innovative programs; research; and the strengthening of state departments of education.

In essence, Congress recognized in both NDEA and ESEA that

quality education required modern textbooks and laboratory materials, the utilization of new technologies as learning devices, and a variety of support services. Congress also recognized that school districts were lacking in libraries, as well as the funds to purchase equipment and to establish counseling programs. More research was needed to improve the teaching/learning process and to stimulate curricula compatible with the age of automation and space exploration. Finally, while many school districts could benefit from new ideas, demonstration programs, and other leadership activities, state departments of education at that time were not capable of assuming those responsibilities.

A review of the floor statements by the proponents of ESEA indicates that, beyond serving certain federal priority areas (e.g., the economy), they saw that the nation was on a continuum which increasingly would be dependent on the basic quality of its schools. Hence, Congress found that for the year 1965, it was in the national interest for the federal government to provide the tax resources to local school officials to do a better job to provide for educational excellence.

• *Expansion of A Theme*

The foregoing summarizes the basis for establishing the modern federal role in education. Other efforts which were undertaken over the past fifteen years have extended that basic philosophy into parallel areas.

•• *National Interest in Equal Educational Opportunity*

Measured in terms of dollars and the employment of personnel, the connection between education and equal opportunity has clearly been the major focus in the growth of the federal role. For example, through civil rights enforcement procedures under Title IX of the Education Amendments of 1972, the *Lau* remedies, and Section 504 of the Rehabilitation Act of 1973, the federal government requires school districts to provide equal access to educational programs for students who were previously unprotected against inadequate service because of their sex, English deficiency or handicapping condition. Financially, Congress advanced the national interest in equal opportunity by targeting federal funds within existing programs (e.g.,

VEA),[4] as well as through the creation of such grant-in-aid programs as the Bilingual Education Act, the Emergency School Aid Act, and the Education for All Handicapped Children Act.

•• *National Interest in Educational Quality/Other Concerns of National Significance*

Relatively speaking, especially after 1965, Congress has not provided *substantial* funding for underwriting educational quality as an end in itself. Yet, it has funded legislation to draw attention to activities that serve the national interest in such curriculum areas as basic skills, metric conversion, the arts, health, environment, as well as for other education activities, such as pre-school services, gifted and talented students, women's equity, and alcohol and drug abuse.

•• *National Interest to Support the Local Impact of Federal Policy*

Finally, comparable to Impact Aid, Congress has authorized programs to financially assist local school districts to meet *obligations* which the federal government has imposed upon them in the course of meeting other national priorities (i.e., Indochina Refugee Assistance Act and the Asbestos School Hazard Detection and Control Act).

• *Intergovernmental Connection*

In distinction to the foregoing programs, the federal government has also utilized local school districts as governmental institutions to serve areas of the national interest not specifically related to education. National economic and employment policies provide an excellent example. During the mid-1970s, local school boards along with other state and local entities were eligible to receive CETA and Public Works funding for the respective purposes of hiring the more chronically unemployed and for alleviating the ailing construction industry. Likewise, school districts were obligated to adhere to the Wage/Price Freeze in 1971 and now pay into the Social Security and Unemployment Compensation systems.

[4] Under the Vocational Education Act, for example, specific set-asides exist to target funds to low-income, handicapped, and English-deficient students—as well as data collection procedures to ensure equal opportunity in each of the foregoing categories.

The point is that because school districts expend over $100 billion per year and employ more than five million personnel,[5] as business entities they have served federal objectives in ways which may coincidentally buttress school system operations—although not necessarily in areas of educational programming.

- *Summary of National Priorities Served by the Federal Role in Education*

For most of the above programs, Congress has defined national priorities whose fulfillment required an increased financial commitment to the quality of certain educational activities.[6] In essence, the national priority sought, and its reliance on education was such, that Congress was not willing to leave to haphazard chance that state and local government could or would upgrade their educational funding priorities to meet those federal priorities.

In summary, to date the federal role in education has addressed national priority interests in the following areas:

- Defense
- The Economy
- Poverty
- Civil Rights
- Other Concerns of National Significance
- The Payment of Federal Obligations
- Education as an End in Itself / A Well-educated Citizenry

In terms of process, federal programs have been funded through categorical grants. With respect to the larger maintenance programs, viz., Impact Aid, ESEA Title I, and P.L. 94-142, funds have been distributed to local school districts, subject to federal conditions, pursuant to a local student count formula. Since funding for these programs has been based on student count rather than grantsmanship, a level of certainty exists in these programs whereby local school officials can more easily integrate federally funded services into their total school programs. The other programs, which tend to encourage innovation rather than the maintenance of services, have been funded as discretionary project grants. Generally, the states have operated the larger

[5] Both figures approximate the amounts for all other local units combined.

[6] The intergovernmental programs would be an exception.

discretionary grant programs (e.g., vocational education), while the federal level has assumed direct grant responsibility for the smaller ones (e.g., Special Projects Act)—although there have been exceptions on the basis of federal versus state focus.

In 1981, Congress dramatically shifted the federal role in education when it enacted the Education Consolidation and Improvement Act (ECIA). In essence, it combined over 30 categorical programs, both state and federally focused, and authorized the formula distribution of 80% of the funds to local school districts. Each local school district determines its own use of the funds within the broad purposes of the act and subject to minimum state regulation, and virtually no federal regulation. As such, Congress effectively declared that there no longer is a federal interest in the component programs—or at least that it would allow local school systems to define the nature of the federal interest and the priority among the program purposes.[7]

B. The Federal Role: Contemporary Needs

If the foregoing describes the historical basis for the federal role in education, the question arises whether a need currently exists in these areas, or any other area, which warrants continued federal involvement.

- *Defense and Education*

Increasingly, weapons and support management systems are becoming more technological. Millions of workers, both civilian and military, are needed to design, service, and use these systems. The basic educational level and specific educational backgrounds required by our defense work force cannot be taken for granted.

[7] ECIA represents the most significant *philosophical* shift in the federal role in education funding since 1965. Ironically, Congress took this step as a part of the Omnibus Reconciliation Act of 1981. In so doing, it bypassed any committee hearings or floor debate on this most significant departure from funding federally defined priorities through categorical grants. It will be interesting to see whether ECIA presages other such consolidation legislation, whether the program is too "undefined" to enjoy continued Congressional support, and/or whether the virtual "clean slate" in categorical funding will invite a renewal of the old programs.

While assistance to universities is vital, the failure to stimulate science and technological study *below* the college level a) limits the pool of people who might otherwise pursue higher academic study in these areas, and b) does not at all address the great bulk of armed service manpower needs that are not filled by college level personnel. Paradoxically, as defense management becomes more sophisticated, the expectation is that the all-volunteer army probably presents a lower percentage of educationally equipped people than did the draft in the simpler times of 1958 when Congress first confronted this problem.

It is therefore not surprising that the military is complaining that its personnel do not know how to use or service equipment—even though it spends over $12 billion per year in manpower training programs. Regardless of whether the issue is one of high technology, mechanical skills, or the basic skills of communication and thought necessary to get a job done, as a part of that $12 billion, the military is *paying* relatively *short-term employees* enormous sums to learn fundamentals. To no small measure, one should expect that these fundamentals could be taught to them as elementary and secondary students—if there were more assistance for the technologies, vocational education, and compensatory education.

Generally speaking, it cannot be expected that states and local school systems will raise additional funds to innovate and maintain these higher cost programs. Especially if the federal government wishes to promote student interest and skills in particular areas, which may or may not be of the same priority concern from the standpoint of the state legislature or the local community, then it only makes sense for the federal government to provide the financial incentive.

- *Education and the Economy*

It is generally recognized that the nation's economic growth, including the increasing importance of international competition, is tied to greater productivity. Greater productivity, in turn, is tied to the development and implementation of new technologies. This means more automation, more robotics, and more computers. It also means more displaced workers and a generation of future workers who must be prepared to meet the changing nature of work.

The new technologies have and will continue to change the work place, at all occupational levels, in a manner which will place greater emphasis on the skills of communication and thought. As a result, the educational background of the nation's human capital will be even more central to fulfilling the needs of business and ultimately of our nation's economic position.

This trend to the future merely reflects, and is supported by, the direction of work over the past generation. For example, in 1950, of 59.6 million people in the labor force, over 23% were employed as farm workers / the services (e.g., domestics). In 1970, only 16% from a base of 78 million employees were so engaged. In 1980, the comparable figures were 15% from a base of 97 million. Meanwhile, over the last 30 years, the portion of the work force in white collar jobs has grown from 37.5% to 52%, (i.e., to 50.8 million white collar jobs or a 376% growth rate). Finally, within the base of persons remaining in farm and industrial work, "back labor" and the assembly line are being replaced by more mechanized forms of work.

As the nature of work has changed over the past 30 years, so has the demand for elementary and secondary education. In 1959, for example, 30% of the civilian work force did not even attend high school and another 20% completed three years or less. By 1979, this 50% dropout rate was cut in half, whereas college attendance surpassed 35%, compared to less than 20% in 1959. One crucial point is that, *in 1978, high school dropouts accounted for less than 2.4% of the participants in adult education programs.*

Hence, from the standpoint of the nation's economic future, the connection between elementary / secondary education to our national well-being is stronger now than ever.

Clearly, there is a federal role in vocational education to identify national labor market trends—including emerging occupations of national significance. Further, federal assistance should be utilized to develop career awareness, innovations in curriculum and equipment, and to assist school systems to broaden the exposure of their students and staff to the business community. Federal assistance should also be available to operate special vocational programs for disadvantaged students, handicapped students, and women. The current vocational needs of women

pose an area of important economic concern. During the last decade, women accounted for 60% of the growth of the labor force—and 51% of all married women worked in 1980. At the same time, more than half of all poverty level households were headed by single women. At least for the short-run, a need exists for special attention to help school districts expand their vocational services in this area.

With respect to compensatory education, any discussion of the federal role to promote employment and the economy will be closely connected to the national interest to eradicate poverty and to ensure equal educational opportunity. Currently, there are probably in excess of nine million students who could benefit from these services—if they were made available. Especially as the demand for literacy and conceptual work operations increase, and the office setting becomes the environment of the work place, the importance of the basic skills becomes even more obvious. In hard economic terms, the question is whether the success brought by a special education investment on the "front end" balances out the public assistance costs on the "back end" for those students whose educational attainment, as a result of such services, can be brought to a level so that they can contribute productively as taxpayers.

- *Poverty*

While some advocates of the War on Poverty originally believed that the causes and results of substandard income could be corrected by a massive short-term infusion of federal funds, that has not occurred.[8] In 1980, 29.3 million persons, or 13% of the U.S. population were under the poverty level. From this number, there were 11.4 miliion children under 18 years of age—or 18.1% of all youth. To some extent, the recent rise in unemployment and inflation, as well as the expansion of single-parent households, suggests that not all poverty is rooted to educational deprivation. Still, the overwhelming number of low income

[8] One of the reasons is that funding has not reached the level of need. For example, in education, in most years only 50-60% of the eligible students were served—with the funds targeted to the most severely disadvantaged (i.e., most difficult for achieving "success"). Yet, recent studies show that ESEA Title I services work.

children are intergenerationally entrapped by the education/poverty cycle.

Looking to the future, demographics show that the percentage of students from minority group backgrounds will rise. Hence, to the extent that poverty is correlated with minority groups, the number of educationally disadvantaged children will increase—as well as the ultimate portion of the population which will not be self-sufficient as adults (and for their own children).

Especially since meaningful employment prospects will place an increasing emphasis on communication, the path out of poverty for millions of disadvantaged students is compensatory education—at both the elementary and secondary levels. Additionally, at the secondary level, assistance for students to develop their employability skills and to facilitate job placement is also essential.

Poverty remains, indeed is now growing, as a problem of national significance. Given the magnitude of the problem, the human cost of not addressing solutions, the historical ease with which poor people have moved across state lines, and the incapacity of state and local government to finance education solutions, the rationale for a strong federal role is as center-stage today as it was in the 1960s.

- *Civil Rights*

When the Civil Rights Act of 1964 was enacted, dual school systems proliferated the South. During the late 1960s, there were many court decisions and attitudinal changes which have largely corrected the broad-scale racial differentiation in educational opportunity which existed in that portion of the country. In recent years, the focus of school desegregation litigation has moved to the large cities—many of which are out of the South. The question raised is whether, outside of the federal court system itself, an activist federal role in civil rights should be continued.

Certainly, the amount of desegregation litigation has been reduced. However, much of that reduction can be attributed to the federal monitoring of local school systems and to administrative sanctions. (Any local school system which discriminates is subject to the termination of its federal funding.) The point is, reasonable federal data collection and enforcement procedures

promote self evaluation by school systems and deter purposeful civil rights violations.

As noted earlier, federal prohibitions on discrimination (and what constitutes discrimination) on the basis of race have been joined by the social and legal recognition of the denial of equal opportunity on the basis of English deficiency, handicapping condition, and sex. In each of these cases, change has occurred because Congress and/or the Executive branch took action. Given the central role which education plays in the attainment of the benefits of a democratic society, it remains a legitimate function for the Congress to identify classes of inequality—as well as to seek remedies which are less costly and more timely than litigation.

At the same time, if local school systems correct federally defined discrimination, the federal government should be prepared to provide financial assistance—in addition to the threat of legal sanction. Restated, when the federal courts recognize Constitutional rights—or when Congress and/or the Executive branch take this action—an obligation should attach for the federal government to contribute an appropriate level of funding to fulfill its own mandate.

Finally, unlike the 1960s, in which the recognition of civil rights protections was joined by the expectations and financial wherewithal of good economic times, a different picture is presented in the 1980s. The picture of the 1980s is at least one of short-term decline in national wealth. As such, any withdrawal of the national commitment to provide equal educational opportunity raises a different set of expectations and potential disaffection among those groups who would "lose"—which can set into motion a series of events that the nation can ill afford.

- *Education and Problems of National Significance*

Our discussion on national defense exemplified an area of the national interest which is inextricably linked to the quality of the education programs found within our school systems. In creating NDEA, Congress recognized that state and local units have primary responsibility for providing educational services. However, Congress also recognized that state and local government is not responsible for, nor necessarily capable of, assessing or financing educational activities which are tied to the national

defense. In a like manner, there are other national concerns which compel a federal policy to support specific aspects of the general education program.

Educational needs related to environmental management present such an example. It is generally accepted that the increase in our global population and economic development will increase the pressure on the productivity of survival products (e.g., food) while our natural resources will be consumed both through more mechanization (e.g., oil and gas) and more waste pollution (e.g., water).

Economically, the nation cannot afford to rely on government regulation as its primary tool for natural resource management. The development of solutions must begin with the career awareness, technologies and work force skills that are stimulated in the classroom.

- *Payment of Federal Obligations*

As indicated earlier, the federal government has consistently made national policy decisions which have incidental but major impacts on local communities. As we look to the future, the capacity of the federal government to achieve national policy goals, like maintaining military bases or like opening the nation's doors to refugees, will be seriously eroded if local communities see themselves as unaided victims or the exploited "colonies" of those policies. With respect to education programs, the question of funding should not be a *federal* value judgment as to whether the local community has the wealth to accommodate the costs of the students who have to be educated. Rather, the question of funding should be whether the federal government will pay at least *some* of its own way to help defray the obligations which its policies place on local school systems.

Beyond a sense of obligation, federal payments in this area can also reinforce primary policy objectives. For example, especially during good economic times, low re-enlistment rates is a major defense problem—especially among highly trained technicians. It would seem that in the 1980s, the quality of education which military personnel will seek for their children would play as important, if not a greater role in directing their career choices than it did when the Impact Aid program was created in 1950.

• *Well-educated Citizenry*

Just as the nation's work environment is becoming more complicated, so are the private lives of its citizens. This will place greater burdens on school systems to prepare students to pursue life choices and to thrive within their cultural surroundings, as well as to make informed judgments about the direction of their government.

A free society must do more than "train" its children for work; it must "educate" them—including the development of national values and the capacity for free thought. Particularly in our nation, ever since the age of Jackson, education for the masses has been the "equalizer," in practice and belief, through which our people have felt secure in their freedom, as well as in their opportunity for personal success and self governance.

Clearly, states and local school systems have the primary responsibility for the general educational well-being of the citizenry. However, given the connection between education and who we are as a nation, *the federal interest in education must include, but must be broader than, the promotion of certain occupations or the general employability of its people.* The civil rights laws which guarantee equal educational opportunity within local communities are a strong case in point. However, if education is the springboard to the pursuit of other rights and privileges in our society, the federal government should be supportive of the *highest quality* in educational services—in addition to supporting *equal access* thereto.

Within this framework, there are four ways in which the federal government can assist state and local school districts in their efforts to provide the highest quality educational programs possible: 1) support for innovation, 2) research, demonstration, and dissemination, 3) general assistance, and 4) advocacy for education.

•• *Support for innovation.* Although local school districts spend well over $100 billion per year, most do not have sufficient discretionary funds to undertake major outlays for the modernization of their instructional equipment and materials. Likewise, many school districts do not have the funds necessary to enrich their curricula through the services provided outside of the

regular classroom, or outside of the school system. Especially among small school systems, the capacity does not exist to innovate, experiment, implement special projects, or self-evaluate.

The advent of the new technologies can aid local school districts to buttress the teaching process, to modernize curricula, to expand student access to information, and to reduce the costs of school management. With respect to the classroom, while computers cannot replace the teacher, they can free time from the more mechanical tasks, as well as provide cost effective alternatives to the traditional teacher/classroom approach to learning.[9]

A definite funding role for the federal government exists 1) to encourage the development of new technologies for both the classroom and school management, 2) to assist states and local school districts to become familiar with the technologies (both as teaching tools and as part of the curriculum)—including the in-servicing of teachers, and 3) to assist local school districts to purchase the new technologies.

•• *Research, demonstration and dissemination.* In order to maximize school district effectiveness, continuing research and development must occur in such areas as teacher preparation, school finance, school management, the teaching/learning process, curriculum needs, the concept of literacy and survival competency for the year 2000, and those emerging social phenomena, such as neighborhoods of predominantly single-parent households, which can influence the contemporary public school setting. Also, this function should include funding for the identification of emerging trends and needs in education through data gathering and clearinghouse activities.

However, the notion that local school districts, state departments, and universities can deal with all of those needs is not

[9] Given the loss of real wages for teachers, on the one hand, and the increasing number of women who are finding higher paying jobs outside of the teaching profession on the other, close attention has to be paid to the level of high school graduates who will enter schools of education, as well as to the capacity of those schools to compete within their university for support. Especially if local school systems cannot keep salaries competitive, the traditional teacher/classroom approach may have to be modified, or at least supported through new techniques —including the use of communication technology.

consistent with the relatively strong financial role which the federal government has played in the past. Simply stated, the national interest in education is so important, total expenditures for education are so high, and the growing information explosion so great, that a federal interest exists to finance efforts to determine what is, what works, to establish model/exemplary programs, and to share information.

•• *General assistance.* Historically, the principal funding for school systems has been derived from local property taxes. Over the past twenty years, the state level has increased its financial contribution to about a fifty-fifty basis with the local level. The reasons for the increase in the state contribution are several, including—1) state court decisions requiring the equalization of school finance among local school districts, and 2) the incapacity of the local property tax to keep pace with the costs of educational services.

Looking to the future, it is impossible to predict the kinds of economic, social, political and legal developments which can alter the capacity of state/local government to be the major financial resources for serving the nation's needs for elementary and secondary education. Hence, while the federal level has never had to assume general assistance responsibilities for public education, the use of the federal taxes for that purpose is a legitimate federal function.

•• *Advocacy for education.* Quality education for all is crucial to any nation which values its freedom and economic development. Although the American people have been highly supportive of education, compared to other public functions, education is the most expensive, the most subject to taxpayer referenda, the most visible, and the most likely to touch the day-to-day personal lives of its patrons. As such, it is most subject to criticism—particularly in economically difficult times, and especially from the 70% of the voters who are not current users.

For the most part, the federal government should not have a "public" posture on local or state issues. However, given the national interest in education, the federal government does have an important role to utilize its national platform as a constructive critic and advocate for education—and its relationship to the

national interest. In this regard, that advocacy can be best achieved through a cabinet-level Department of Education. Agencies which are less than cabinet ranking tend to be obscured from public focus and tend to become the professional "users' " club/regulator (e.g., Interstate Commerce Commission, the Securities and Exchange Commission). Likewise, if education is shared with some other cabinet department, the national focus on education, as well as the federal role, could tend to be dominated or overly influenced by that department's shared mission.[10] The point is that education in general is too vital, *each* of its societal purposes too differentiated, and the federal role in education too comprehensive for the national advocacy of education to be "housed" anywhere but under the preeminent separate cabinet ranking which is reserved for the most compelling interests of federal government—and the nation's well-being.

- *Summary of Contemporary Needs For a Federal Role in Public Education*

In conceptualizing the federal role in education, two themes need to be addressed.

First, what value does education serve for individuals—as well as for the kind of nation which we envision for ourselves? Succinctly stated, education provides the citizenry and the nation the means for 1) ensuring employment and economic growth, 2) transmitting cohesive national values, and 3) ensuring free thought and cultural enrichment. Further, education serves the national belief that ours is a fair and mobile society which provides equal opportunity and rewards individual effort. To those ends, the federal government has a role to—

- require and finance equal access to educational opportunity;
- assist the expansion of learning and quality education through research, as well as financial assistance to local school systems; and

[10] Education is to train students for work: Department of Labor; education is to encourage participation in defense: Department of Defense; the federal role in education is to provide social services: Department of Health and Human Services.

- provide general assistance where needed to provide the foundation for quality education.

The second theme is, what specific areas of the national interest are uniquely served, best served, or at least in need of support by the federal government? As has been illustrated, such specific areas would include—

- Defense
- Employment
- Eradication of poverty
- Other areas of national significance which are inextricably tied to education (such as health or environmental management, e.g., natural resources, space exploration, etc.)

While an outline for the precise delivery system for any of these items would warrant a separate discussion, a few points can be made. First, any delivery system should be designed to promote the program objectives and to support the role of each level of government to meet its responsibilities. Second, where a program is intended to encourage a school district to *maintain* federally defined goals, a high enough level of certainty and funding must be built into the program to make the activity worthwhile—as well as to be incorporated into the overall educational program of the school system. The best way to achieve that end is through local formula grants. Third, where a federal program is intended to stimulate innovation, the granting agency should have *more discretion*—but with sufficient legislative guidance to ensure that the funds will be used for innovative purposes.

While it is desirable to have federal guidance for the use of funds (except for general aid activities), federal programs should not stifle local flexibility by overregulation—nor should they control the actual curriculum or methods of instruction which the local school district utilizes to fulfill the purposes of the federal legislation. In this regard, care must be taken to ensure that the pursuit of national objectives, on the one hand, does not diminish those other aspects of education which are best protected by the diversity and direction provided by locally elected school system leadership on the other.

C. The Federal Role: Education and the "New Federalism"

The Reagan Administration has proposed that the federal government "turn back" a number of program responsibilities to the states—including several education programs (probably vocational education, ECIA, and school nutrition). The "turnback" proposal forms part of a larger plan of "New Federalism" which seeks a more efficient system for delivering services among the three levels of government. The question raised is whether that proposal advances or detracts from an appropriate federal role in education.

At the outset, it should be recognized that the "New Federalism" is a *process;* it is not a substantive end unto itself. Therefore, to evaluate the process before determining what it is that one wants government "to do" would be making the error of subordinating substance to form. Restated, support for the "New Federalism" should be dependent on whether it more effectively fulfills the nation's needs in education than other delivery systems.

A proper analysis of the Administration's proposal must await the introduction of legislation. However, at this juncture, a number of policy questions can be asked[11]—

- *"Turning Back" Functions versus Abrogating Responsibilities*

The term "turnback" is somewhat a misnomer in that the federal government never did take away the authority of the states to provide services in the areas of vocational education, school nutrition, or special programs (ECIA). Rather, the federal programs were created to fill a vacuum of need.

As distinguished from funding cuts, "turnbacks" present the Congress with a "yes/no" choice on whether these three programs are appropriate functions for the federal government. More precisely, the underlying question is whether there is a

[11] In addition to the broader questions presented, a number of practical questions also arise: e.g., 1) how much money will go into the program compared to the component parts? 2) what is each state's fiscal capacity to subsidize the programs? 3) what special conditions exist in each state which may lower the education priority envisioned by the original federal programs?

federal interest in these three program areas because of a) some overarching federal perspective or b) the fact that the states will not or cannot be expected to meet the need from their own resources—even if they don't need federal guidance in operating the programs.

In our earlier discussion, the point was made that there are current educational needs which are tied to defense, youth unemployment, emerging occupations of national significance, as well as new approaches to classroom learning that are best served if provided as a federal priority. The "turnback" proposal would effectively replace all existing nationally directed efforts in these areas. In addition, since the 1981-82 cuts in the school lunch program have not been offset by increased state funding, it is assumed that if the remaining federal school nutrition function were "turned back," it too would be lost. In this regard, it cannot be argued that the lack of state support for any of these activities within the "turnback" concept justifies eliminating an unwanted federal expenditure. Rather, the political pressures on state governments, their other obligations, resources, and priorities may take them in other directions—*despite* the national need in education. To some measure, that is why the federal role for these educational activities was created in the first place.

- *"New Federalism" and the Administration's Policy*

Quite apart from the merits of "turning back" certain functions, the question is raised as to how, by accident or design, the proposal fits into the Administration's major education policies.

Over the past two years, the Administration has urged federal education cuts of over one-third—including its own block grant proposals. At the same time, the Administration has supported the elimination of the Department of Education, as well as the enactment of tuition tax credits. Taken together, these proposals reinforce each other,[12] and reinforce a minimized federal role in education—as well as a transfer of emphasis into private education. Hence, merits aside, "turnbacks" take on the characteristics

[12] For example, major budget cuts (and "turnbacks") diminish the federal role, thereby reinforcing the elimination of the Department of Education. If the Department is eliminated, education will lose its Cabinet level advocate around the President's bargaining table at budget time—hence, paving the way for more cuts.

of a political strategy to diminish—if not to do away with—the overall federal role in public education.

- *"Turnbacks" and Local Decision-making*

It is argued that "turnbacks" will result in greater policy flexibility and less administration by program users. Whether any proposal achieves better results on either point depends upon where particular program users are positioned. In the case of "turnbacks," the focus is on the state, more precisely the governors and state legislatures. Hence, from *their* standpoint, by obtaining the capacity to pick and choose program priorities, to develop program conditions, and to make the "right" geo-political distribution of funds, "turnbacks" do deliver the objective of flexibility and administrative ease.

From the standpoint of local school districts, a different picture is presented. First, there is no guarantee that there will be as much—or any—money used for education. In all likelihood, the state education priority, particularly in "hard" economic times, will result in less money than the antecedent federal programs. The reason is that historically, education has tended to do worse than other public services during hard times.

Moreover, from a governance standpoint, "turnbacks" will diminish local decision-making. For example, currently at least 80% of ECIA money must be driven down to local school districts pursuant to a state-developed formula. The local school district may use the funds any way in which *it* chooses within the broad purposes of the Act. On the other hand, "turnbacks" put both the funding distribution and the program conditions in the hands of the states. Likewise, school lunch is a predictable program which provides local school districts with federal reimbursements on the basis of a student count. While vocational education is a strong state program, at least it has a formula component and is free from the administrative layering which could arise if the program were operated within the governor's office.

- *The Federal Role in Education After "Turnbacks"*

From the standpoint of grant-in-aid programs, the enactment of "turnbacks" would limit the federal role to three *major* pro-

grams: a) Impact Aid (for "A" districts), b) ESEA Title I, and c) Handicapped Education. In other words, the federal role in education would be narrowed to help "the needy."

While helping districts and students in need is a legitimate end, it is far removed from a federal role which connects the general quality of education with specific national goals in defense, emerging occupations, etc. Indeed, by standing in isolation, these remaining programs are at risk of losing their focus as *educational* services in favor of being viewed solely as social welfare services. While the social service function is defensible, it is the educational aspect that sets Title I and P.L. 94-142 apart as special social programs.[13]

- *Future Funding for "Turnbacks"*

The Administration's "turnback" proposal is asking Congress to raise revenues (during an anti-deficit taxpayer climate) in order to fund the capacity of governors/state legislators (who may be potential political rivals) to deliver programs throughout their states. Experience suggests that sustained congressional support for programs is best achieved when a) there is a definable federal interest served by the program, and b) there is a way for federal lawmakers to take "credit" for the specific use within their communities of federal taxpayer dollars. When economic times became difficult, the state share of General Revenue Sharing was the first major program to be eliminated. The "turnback" proposal ultimately is an enlarged replacement for the ill-fated revenue sharing program. And, if the revenue sharing experience is any guide, the short-term attraction of "turnbacks" will begin to weigh heavily as a political/economic burden at the federal level in future years.

[13] In seeking revisions to the FY 1981 budget and in proposing its FY 1982 budget, the Administration took the tack that cuts would result in services to the "truly needy." Regardless of whether the "truly needy" policy would remove people from the welfare roles, the extension of that view to education programs is self-defeating if we accept the notion that education leads to economic independence—or unless we believe that targeted students other than the most severely disadvantaged or handicapped will somehow progress without special education services.

Conclusion

Since its inception a quarter of a century ago, the federal role in education has been extended in a variety of directions. For the most part, those directions have been tied together by two themes: 1) educational needs which achieve other areas of the national interest, and 2) quality education and a well-educated citizenry as national objectives in themselves.

This paper has attempted to begin a dialogue which explores the meaning of these two themes—as well as their practical applications for the future federal role in education.

As stated at the outset, major policy decisions are bound to be made about the federal role in education. Accordingly, care must be taken to ensure that the value of education, the value of public education, the concept of the federal role in education, as well as individual programs and needs are deliberated. Care must also be taken to ensure that policy is made on the basis of substance and not form—and that the dialogue continues.

About NSBA . . .

The National School Boards Association is a not-for-profit organization whose primary mission is the general advancement of education through the unique American tradition of local citizen control. In this way, education policy is decided by school board members who are directly accountable to the community.

NSBA promotes high quality education through services to state school boards associations and local school districts. It represents school board interests before Congress, federal education agencies, and other national regulatory bodies.

Active Members of NSBA include the 49 state school board associations, the Hawaii State Board of Education, plus the boards of education of the District of Columbia and the Virgin Islands. Founded in 1940, NSBA represents approximately 95,000 of the nation's school board members who, in turn, govern the schools attended by 97% of all U.S. public school children.

About NSBA's Office of Federal Relations . . .

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